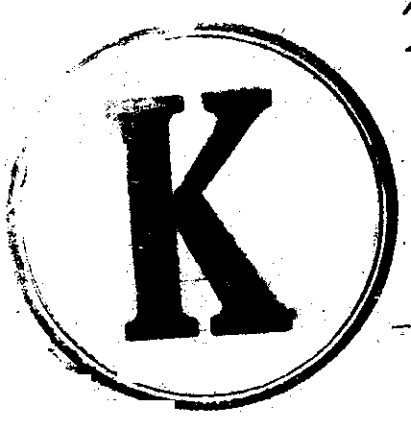

1946 **File No.** Anand Institute II/46.

Legal Department

B **BRANCH** P.2(E)/1946

Subject:— Rules and Notification regarding the establishment of the Institute of Agriculture, Animal Husbandary, and Diaying, Anand, Dist: Kaira.

File No. Anand Institute II/46.

Gen. 194 e.

H62-B

Office of the R.Lets.

From the papers underlying Government Resolution Revenue Department, No.7243/33, dated the 1st July 1941, it appears that the sole object of the amendments was to place Government in a position to exercise effective control over the administration of the Institute in such matters as appointment of staff, selection of staff, etc. (vide letter of Director of Agriculture at page 11, of R.D. file 7243/33). The Rules in question are non-statutory. The question whether or not the amendments made by Government Resolution, Revenue Department, No. 7243/33, dated the 1st July 1942, should be withdrawn is purely administrative and there is no legal objection to withdrawing them.

2. Para. 4(b) of R.D.note at page 6 and para. 3(b) of Mr. Munshi's letter at page 2.- If Government is satisfied that there are no prac-tical difficulties in getting by-laws which it considers necessary framed by the Governing Body through the Government nominees on that Body, there is no objection to deleting sub-rule (3) of rule 8.

3. Para. 4(c) of R.D. note at page 6 and para. 3(c) of Mr. Munshi's letter at page 3.- The proviso added to rule 15 only requires the previous approval of Government when permission for use of the Institute etc. is asked for a period in excess of ten days. If Government is prepared to vest full discr-tion in th: Governing Body to grant permission for an unlimited period, there is no objection to deleting the proviso.

4. Para. 4(d) of R.D. note at page 7 and para. 3(d) of Mr. Munshi's letter at page 3.- Mr. Munshi's contention that the provision contained in the proviso to rule 16 is already covered by clauses (g) and (h) of rule 8(2)

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is not correct. It is true that the previous approval of Government is required to the framing of any by-law for either of the matters specified in clauses (g) and (h) of rule 8(2). However the standard of examinations is not provided for in either of those two clauses. Rule 16 confers the power of prescribing examinations on the Governing Body. It is, therefore, necessary to retain the proviso to rule 16.

Id/- P.N.M.
8/11/46.

Remembrancer of Legal Affairs.

U.O.R. to R.C.D.No.7820, dated the 9th November 1946.

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